

REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 1-39 are pending in this application. Claims 1-17 and 19-39 were rejected under 35 U.S.C. §103(a) as unpatentable over U.S. patent 5,979,757 to Tracy et al. (herein "Tracy") in view of U.S. patent 4,882,724 to Vela et al. (herein "Vela"). Claim 18 was rejected under 35 U.S.C. §103(a) as unpatentable over Tracy in view of Vela and further in view of U.S. patent 4,189,730 to Murdock.

Addressing the above-noted rejections, those rejections are traversed by the present response.

Initially, applicants note the claims are amended by the present response to clarify features recited therein.

One basis for maintaining the outstanding rejection was that the claimed feature of communicating an electronic coupon from a portable radio terminal "by using a radio LAN which is independent from a public communication network provided by communication providers" was not given any patentable weight since that feature was only recited in the preamble. In response to that position the claims are amended to now recite that feature within the body of the claim and not merely in the preamble. The claims are also amended to make additional clarifications. The claims as currently written are believed to clearly distinguish over the applied art.

Independent Claims 1, 2, 17, 19 and 37 are directed to enabling sending and receiving of various electronic coupons between a portable terminal of a user and a system of a business enterprise without utilizing communication providers. In the noted claims communication between a portable terminal and a radio base station is through a radio LAN independent from a public communication network provided by communication providers, for example Bluetooth provided in a facility such as a store. Further, communication

between the radio base station and the server device through the local network is independent from the radio LAN.

The outstanding rejection cites various portions in Tracy and Vela with respect to the claimed features. The primary basis for the outstanding rejection appears to be that Tracy and Vela disclose portable terminals in communication with base stations via radio, and that the base stations are in communication with a central computer via a different non-radio network.

Applicants respectfully note, however, that the claims are not merely directed to that type of system. Applicants do not dispute that Tracy and Vela disclose portable terminals in communication with base stations via radio communications, and that the base stations are in communication with the central computer via a different non-radio network.

The claims, however, set forth different operations than in both Tracy and Vela in terms of *how* the radio communication between the portable terminals and the base station is utilized and *how* the non-radio communication between the base station and the central computer is utilized.

Each of independent claims 1, 2, 17, 19, 37, and 38 is directed to a case in which a radio base station, which is part of a radio LAN, can voluntarily request a notification of a terminal identifier to a radio portable terminal through the radio LAN when the radio portable terminal enters a covered area of the radio base station. The claimed method further voluntarily requests a check of whether the radio portable terminal is an electronic coupon sending/collecting target or not to a server device through the local network upon receiving the notification, and voluntarily carries out processing for sending/collecting the electronic coupon with respect to the radio portable terminal through the radio LAN upon receiving the results of the check.

With such an operation it becomes possible to send or receive electronic coupons between a portable terminal of a user and a base station, for example a business enterprise, without utilizing communication providers. Thus, the radio LAN in the claimed invention is utilized in a specific instance, which is believed to be neither taught nor suggested by Tracy or Vela.

More specifically, Tracy and Vela completely fail to disclose or suggest any teaching of a system in which a radio base station voluntarily requests a notification of a terminal identifier to a radio portable terminal through a radio LAN, voluntarily request a check of the radio portable terminal to a server device through a local network, and voluntarily carries out processing for sending/collecting an electronic coupon with respect to the radio portable terminal through the radio LAN.

Tracy is merely directed to a shopping system such as shown in Figure 1 therein in which customer desired data is provided from a central host 14 through multiple access points 13 to a portable terminal 12. The access points 13 in Tracy have no function for voluntarily requesting a notification of a terminal identifier to the radio portable terminal through the radio LAN, the access points 13 do not voluntarily request a check of the radio portable terminal to a server device through the local network, and the access points 13 do not voluntarily carry out processing for sending/collecting an electronic coupon with respect to the radio portable terminal through the radio LAN.

Vela does not cure the deficiencies in Tracy. Vela merely discloses a communication system, for example in Figure 1 therein, in which audio/visual messages are provided to a shopper from a central center via relay units provided on shopping carts through optical channels. The signal delivery system 26 of Vela also does not have a function to voluntarily request a notification of a terminal identifier to the radio portable terminal through a radio LAN, the signal delivery system 26 does not voluntarily request a check of the radio portable

terminal to a server device through the local network, and the signal delivery system 26 does not voluntarily carry out processing for sending/collecting the electronic coupon with respect to the radio portable terminal through the radio LAN. In such ways the teachings in Vela cannot cure the deficiencies in Tracy.

Accordingly, applicants respectfully submit Tracy and Vela fail to disclose or suggest the features recited in independent claims 1, 2, 17, 19, and 37, and the claims dependent therefrom.

Moreover, applicants note independent claims 23, 24, and 39 are clarified to be directed to a case in which a radio base station of a radio LAN voluntarily requests a notification of a terminal identifier to the radio portable terminal through the radio LAN when the radio portable terminal enters a covered area of the radio base station, and notifies the terminal identifier to the server device through the local network, such that the server device can automatically record and manage management information containing the terminal identifier of the radio portable terminal and information regarding an arranged location of each radio base station.

With such a system or operation it becomes possible to automatically record information on successive locations through which a user passes as the user moves in a facility, by utilizing communications between the portable terminal held by the user and the radio base stations arranged at various locations in the facility, through the radio LAN. Such information can then be utilized for more detailed analysis regarding use of the facility by customers.

Applicants respectfully submit Tracy and Vela fail to disclose or suggest any teaching in which a radio base station voluntarily request a notification of a terminal identifier to the radio portable terminal through a radio LAN, and notifies the terminal identifier to the server device through the local network, such that the server device can automatically record and

manage management information containing the terminal identifier of the radio portable terminal and information regarding an arranged location of each radio base station.

As noted above, Tracy merely discloses a shopping system in which customer desired data is provided from the central host 14 through multiple access points 13 to the portable terminals 12. However, the access points 13 of Tracy have no function to voluntarily request a notification of a terminal identifier to a radio portable terminal through a radio LAN and notify the terminal identifier to the server device through the local network, such that the server device can automatically record and manage management information containing the terminal identifier of the radio portable terminal and information regarding an arranged location of each radio base station.

Moreover, as noted above Vela merely discloses a communication system for a marketing area in which audio/visual messages to a shopper are provided from a central center via relay units on shopping carts through optical channels. The signal delivery system 26 of Vela also has no function to voluntarily request a notification of a terminal identifier to a radio portable terminal through a radio LAN and notify the terminal identifier to the server device through the local network, such that the server device can automatically record and manage management information containing the terminal identifier of the radio portable terminal and information regarding an arranged location of each radio base station. Thus, Vela cannot cure the deficiencies in Tracy.

In such ways, each of independent claims 23, 34, 38, and 39, and the claims dependent therefrom, are also believed to distinguish over Tracy in view of Vela.

Moreover, no teachings in Murdock are believed to cure the above-noted deficiencies of Tracy in view of Vela.

In view of these foregoing comments, applicants respectfully submit each of claims 1-39 as currently written distinguish over the applied art.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)
SNS/rac

Surinder Sachar
Registration No. 34,423